

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION CIRCUIT COURT

AVC NO. 06-017

IN RE: LADY BELVEDERE)
 ENTERPRISES, LLC, d/b/a)
 TOTAL DEBT SERVICES)

Respondent.)

FILED

(32)

APR 27 2006

Doris Anne Sadler
CLERK OF THE
MARION CIRCUIT COURT

ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Matt Light, and the Respondent, Lady Belvedere Enterprises, LLC, doing business as Total Debt Services, enter into an Assurance of Voluntary Compliance ("Assurance") pursuant to Indiana Code § 24-5-0.5-7.

Any violation of the terms of this Assurance constitutes *prima facie* evidence of a deceptive act. This Assurance is entered into without any adjudication of any issue of fact or law, and upon consent of the parties.

The parties agree:

1. Respondent is Texas limited liability company engaged in business as a credit services organization as defined by the Credit Services Organizations Act, Ind. Code § 24-5-15-1 *et seq.*, under the assumed business name of Total Debt Services, with a principal place of business located at 14800 Landmark Boulevard, Suite 190, Dallas, Texas 75254-7565. In the ordinary course of business, Respondent has solicited and entered into agreements to assist Indiana consumers in deferring payment of their debts and obtaining debt settlements.
2. The terms of this Assurance apply to and are binding upon Respondent, its employees, agents, representatives, successors, and assigns.

3. Respondent acknowledges the jurisdiction of the Consumer Protection Division of the Indiana Attorney General's Office to investigate matters hereinafter described, pursuant to the authority of Ind. Code § 4-6-9-4 and Ind. Code § 24-5-0.5-1 *et seq.*

4. Respondent, in soliciting and/or transacting business as a credit services organization with Indiana residents, shall comply with the provisions of Indiana's Deceptive Consumer Sales Act, Ind. Code § 24-5-0.5-1 *et seq.*, and Indiana's Credit Services Organizations Act, Ind. Code § 24-5-15-1 *et seq.*

5. Respondent shall not solicit or transact business as a credit services organization in Indiana until it has obtained a surety bond in the amount of ten thousand dollars (\$10,000.00) in favor of the State of Indiana as required by Ind. Code § 24-5-15-8. Respondent agrees to provide a copy of its surety bond to the Consumer Protection Division of the Indiana Attorney General's Office prior to soliciting or transacting any business as a credit services organization in Indiana.

6. Respondent, when transacting business as a credit services organization with Indiana consumers, shall not execute a contract or agreement or receive money or other valuable consideration without first providing each consumer with a written statement containing the disclosures required by Ind. Code § 24-5-15-6.

7. Respondent shall not enter into a contract to provide services as a credit services organization with Indiana consumers unless such contract is in writing, is dated and signed by both the consumer and Respondent, and includes the terms required by Ind. Code § 24-5-15-7.

8. Respondent shall pay full restitution to any Indiana consumer filing a complaint with the Consumer Protection Division of the Indiana Attorney General's Office in the future, if such complaint arises from a credit services organization contract between a consumer and

Respondent solicited or entered into during a time period when Respondent's activities as a credit services organization were not in full compliance with Indiana's Credit Services Organizations Act.

9. Upon execution of this Assurance, Respondent shall pay restitution in the amount of Four Thousand One Hundred Dollars (\$4,100.00) to the Office of Attorney General on behalf of Maryann Kaiser, [REDACTED]

10. Upon execution of this Assurance, Respondent shall pay costs in the amount of Five Hundred Dollars (\$500.00) to the Office of Attorney General.

11. Respondent shall not represent that the Office of the Attorney General approves or endorses Respondent's past or future business practices, or that execution of this Assurance constitutes such approval or endorsement.

12. Respondent shall fully cooperate with the Office of the Attorney General in the investigation and resolution of any future written complaints the Consumer Protection Division receives.

13. The Office of the Attorney General shall file this Assurance in the Circuit Court of Marion County. The Court's approval of this Assurance shall not act as a bar to any private right of action.

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IN WITNESS WHEREOF, the parties have executed this Assurance this 19TH
day of April, 2006.

STATE OF INDIANA

RESPONDENT

STEVE CARTER
Attorney General of Indiana

LADY BELVEDERE ENTERPRISES, LLC
d/b/a TOTAL DEBT SERVICES

by: Matt J. Light
Matt J. Light
Deputy Attorney General
Attorney No. 25680-53
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

by: James D. Ross
Name: JAMES D. ROSS
Title: CEO

APPROVED this _____ day of APR 27 2006, 2006.

Theodore M. Sozin
Judge, Marion Circuit Court